

J. Thayer
PTO/SB/21 (11-07)

Approved for use through 11/30/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

7

Application Number

U. S. Patent 6,830,922

Filing Date

ISSUED: December 14, 2004

First Named Inventor

Jasienski et al.

Art Unit

Examiner Name

Attorney Docket Number

15147-10166

RECEIVED

NOV 28 2007

OFFICE OF PETITIONS

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Notification Concerning Change in Entity Status (1 page);	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Notification of Error in Payment of Fee(s) as a Small Entity (2 pages);	
	Fee Address Indication Form (1 page);	
	Deposit Account Authorization for Payment (1 page);	
	Postage prepaid return postcard.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	KEAN MILLER HAWTHORNE D'ARMOND McCOWAN & JARMAN LLP		
Signature	<i>Anthony G. Boone</i>		
Printed name	ANTHONY G. BOONE		
Date	Nov 19, 2007	Reg. No.	57,287

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Anthony G. Boone</i>		
Typed or printed name	ANTHONY G. BOONE	Date	Nov 19, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Envirogen, Inc.

U.S. Patent No. 6,830,922

Issued: December 14, 2004

2007 NOV 23 P. 5:29

Title: System and Method for Inoculating a Biological Reactor

RECEIVED

MAIL STOP M CORRESPONDENCE

NOV 28 2007

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

OFFICE OF PETITIONS

NOTIFICATION CONCERNING CHANGE IN ENTITY STATUS

I, Scott LaGrange, the Executive Vice President of Envirogen, Inc., make this statement in support of the Change in Entity Status;

1. U. S. Application No. 10/036,962, titled "System and Method for Inoculating a Biological Reactor" was filed December 21, 2001, and was assigned to Applicant, Envirogen, Inc., by the inventors, Raymond Jasienski and Younghua Yang, on April 30, 2002 and May 3, 2002, respectively. At the time the patent application was filed and assigned, Envirogen, Inc. met the requirements of a small entity as set forth in 37 C.F.R. 1.27.

2. On January 30, 2003, Envirogen, Inc. was acquired by Shaw Environmental & Infrastructure, Inc. pursuant to an Agreement and Plan of Merger. As a result of the Agreement and Plan of Merger, Envirogen, Inc. is now a wholly-owned subsidiary of Shaw Environmental & Infrastructure, Inc. ("Shaw E&I"). Shaw E&I does not meet the requirements of a small entity as set forth in 37 CFR 1.27.

3. U. S. Application No. 10/036,962 issued on December 14, 2004 as U. S. Patent No. 6,830,922, titled "System and Method for Inoculating a Biological Reactor". At the time that the patent issued, Envirogen, Inc. no longer met the requirements of a small entity as set forth in 37 C.F.R. 1.27.

4. Applicant hereby notifies the Office, in accordance with the requirements of 37 C.F.R. § 1.27(g)(2), that it no longer has status as a small entity.

11/27/2007 DALLEN 00000008 110245 6830922

01 FC:1559 775.00 DA

5. Envirogen, Inc. therefore respectfully requests that the USPTO change the status of Envirogen, Inc. from "Small Entity" to "Large Entity" and that Envirogen, Inc. be allowed to pay its maintenance fees as a large entity.

Envirogen, Inc.

Date: 11-01-07

By: Scott P. LaGrange
Scott LaGrange
Executive Vice President



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Envirogen, Inc.)

U.S. Patent No. 6,830,922)

Issued: December 14, 2004)

Title: System and Method for Inoculating a Biological Reactor

MAIL STOP M CORRESPONDENCE

Commission for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

RECEIVED

NOV 28 2007

OFFICE OF PETITIONS

**NOTIFICATION OF ERROR IN PAYMENT OF
FEE(S) AS A SMALL ENTITY
[37 C.F.R. § 1.28(c)]**

I, Scott LaGrange, the Executive Vice President of Envirogen, Inc., make this statement in support of the Change in Entity Status;

1. U. S. Application No. 10/036,962, titled "System and Method for Inoculating a Biological Reactor" was filed December 21, 2001, and was assigned to Applicant, Envirogen, Inc., by the inventors, Raymond Jasienski and Younghua Yang, on April 30, 2002 and May 3, 2002, respectively. At the time the patent application was filed and assigned, Envirogen, Inc. met the requirements of a small entity as set forth in 37 C.F.R. 1.27.

2. On January 30, 2003, Envirogen, Inc., was acquired by Shaw Environmental & Infrastructure, Inc., pursuant to an Agreement and Plan of Merger. As a result of the Agreement and Plan of Merger, Envirogen, Inc. is now a wholly-owned subsidiary of Shaw Environmental & Infrastructure, Inc. ("Shaw E&I"). Shaw E&I does not meet the requirements of a small entity as set forth in 37 C.F.R. 1.27.

3. U. S. Application No. 10/036,962 issued on December 14, 2004 as U. S. Patent No. 6,830,922, titled "System and Method for Inoculating a Biological Reactor". At the time that the patent issued, Envirogen, Inc. no longer met the requirements of a small entity as set forth in 37 C.F.R. 1.27.

4. Applicant hereby notifies the Office, in accordance with 37 C.F.R. § 1.28 (c), that the Office was not notified of Applicant's loss of entitlement to small entity status as required by § 1.27(g)(2).

5. Applicant hereby notifies the Office, in accordance with 37 C.F.R. § 1.28 (c), that, through error and good faith, the Office was not notified of Applicant's loss of entitlement to small entity status as required by § 1.27 (g)(2).

6. Pursuant to 37 C.F.R. § 1.28(c)(2), Applicant submits the deficiency payment below that resulted from the previous erroneous payment of small entity fees.

FEE(S) ERRONEOUSLY PAID AS A SMALL ENTITY	FEE ACTUALLY PAID AS A SMALL ENTITY	DEFICIENCY OWED
Issue Fee	\$665.00	\$775.00

Deficiency Owed for Issue Fee: \$ 775.00
Additional Surcharge \$ 130.00

TOTAL Deficiency Owed: \$ 905.00

The total deficiency owed is paid as follows:

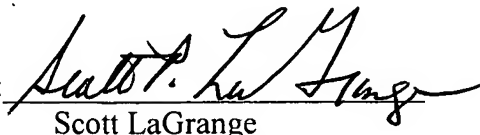
X Authorization is hereby made to charge the amount of \$905.00 to Deposit Account 11-0245 in the name of Kean Miller Hawthorne D'Armond McCowan & Jarman LLP.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

Envirogen, Inc.

Date: 11-01-07

By: 
Scott LaGrange
Executive Vice President



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Envirogen, Inc.
U. S. Patent No. 6,830,922
Issued: December 14, 2004
Title: System and Method for Inoculating a Biological Reactor
Docket No.: 15147-10166

RECEIVED

NOV 28 2007

OFFICE OF PETITIONS

COMMISSIONER FOR PATENTS
P. O. BOX 1450
ALEXANDRIA, VA 22313-1450

DEPOSIT ACCOUNT AUTHORIZATION FOR PAYMENT

Dear Sir:

The Commissioner is hereby authorized to charge the deficiencies owed of \$905.00 in connection with that Notification of Error in Payment of Fee(s) as a Small Entity [37 C.F.R. §1.28(c)] to Deposit Account No. 11-0245 in the name of Kean, Miller, Hawthorne, D'Armond, McCowan & Jarman, LLP.

Respectfully submitted,

Anthony G. Boone, PTO Reg. No. 57,287
Russel O. Primeaux, PTO Reg. No. 37,213
KEAN, MILLER, HAWTHORNE, D'ARMOND,
McCOWAN & JARMAN, L.L.P.
P. O. Box 3513
Baton Rouge, Louisiana 70821-3513

Date: November 17, 2007